

State of South Dakota

EIGHTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2011

400S0614

SENATE BILL NO. 184

Introduced by: The Committee on Appropriations at the request of the Office of the Governor

1 FOR AN ACT ENTITLED, An Act to make appropriations from the water and environment
2 fund, the water pollution control revolving fund subfund, and the drinking water revolving
3 fund subfund for various water and environmental purposes, to revise the state water plan,
4 and to declare an emergency.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

6 Section 1. There is hereby appropriated from the South Dakota water and environment fund
7 established pursuant to § 46A-1-60, the sum of three million three hundred ten thousand dollars
8 (\$3,310,000), or so much thereof as may be necessary, to the South Dakota Board of Water and
9 Natural Resources for the purpose of providing a grant to the project sponsors to be used for the
10 engineering design, right-of-way acquisition, preconstruction activities, and construction of the
11 Sioux Falls flood control project as authorized in section 17 of chapter 254 of the 1992 Session
12 Laws. Funds shall be provided according to terms and conditions established by the Board of
13 Water and Natural Resources.

14 Section 2. There is hereby appropriated from the South Dakota water and environment fund
15 established pursuant to § 46A-1-60, the sum of two million dollars (\$2,000,000), or so much



1 thereof as may be necessary, to the South Dakota Board of Water and Natural Resources for the
2 purpose of providing grants to local project sponsors for the engineering design, preconstruction
3 activities, and construction of the facilities included in the Southern Black Hills Water System
4 as authorized in § 46A-1-13.11. Funds shall be provided according to terms and conditions
5 established by the Board of Water and Natural Resources.

6 Section 3. There is hereby appropriated from the South Dakota water and environment fund
7 established pursuant to § 46A-1-60, the sum of fifty-five thousand five hundred dollars
8 (\$55,500), or so much thereof as may be necessary, to the South Dakota Board of Water and
9 Natural Resources for the purpose of providing a loan to the project sponsors to be used to
10 implement the Lake Andes-Wagner/Marty II research demonstration program as authorized by
11 § 46A-1-13.6. Funds shall be provided according to terms and conditions established by the
12 Board of Water and Natural Resources.

13 Section 4. There is hereby appropriated from the South Dakota water and environment fund
14 established pursuant to § 46A-1-60, the sum of five million one hundred fifty thousand dollars
15 (\$5,150,000), or so much thereof as may be necessary, to the South Dakota Board of Water and
16 Natural Resources for the purpose of providing grants and loans to project sponsors under the
17 consolidated water facilities construction program established pursuant to § 46A-1-63.1. Funds
18 shall be provided according to terms and conditions established by the Board of Water and
19 Natural Resources.

20 Section 5. There is hereby appropriated from the South Dakota water and environment fund
21 established pursuant to § 46A-1-60, the sum of one million dollars (\$1,000,000), or so much
22 thereof as may be necessary, to the South Dakota Board of Water and Natural Resources for the
23 purpose of providing grants and loans to project sponsors under the solid waste management
24 program established pursuant to § 46A-1-83. Funds shall be provided according to the terms and

1 conditions established by the Board of Water and Natural Resources.

2 Section 6. Notwithstanding § 34A-6-85, there is hereby appropriated from the South Dakota
3 water and environment fund established pursuant to § 46A-1-60, from the fees received pursuant
4 to §§ 34A-6-81 to 34A-6-84, inclusive, the sum of one million seven hundred fifty thousand
5 dollars (\$1,750,000), or so much thereof as may be necessary, to the South Dakota Board of
6 Water and Natural Resources for the purpose of providing grants and loans to project sponsors
7 for the construction, remediation, enlargement, closure, or upgrade of regional landfills. Funds
8 shall be provided according to the terms and conditions established by the Board of Water and
9 Natural Resources. Notwithstanding § 46A-1-67, the term of years for loans under this section
10 may be extended to the useful life of the facilities being financed.

11 The department may use up to seven hundred fifty thousand dollars of the funds
12 appropriated by this section, to contract for the statewide cleanup of waste tires and solid waste.
13 Notwithstanding, § 46A-1-61, the department may fund up to one hundred percent of the
14 nonfederal share of statewide waste tires and solid waste cleanup projects.

15 Section 7. There is hereby appropriated from administrative expense surcharge fees
16 deposited in the South Dakota state water pollution control revolving fund program subfund
17 established pursuant to § 46A-1-60.1, the sum of one million two hundred thousand dollars
18 (\$1,200,000), or so much thereof as may be necessary, to the South Dakota Board of Water and
19 Natural Resources for the purpose of providing water quality grants under the state water
20 pollution control revolving fund program established pursuant to § 46A-1-60.1. Funds shall be
21 provided according to terms and conditions established by the Board of Water and Natural
22 Resources.

23 Section 8. There is hereby appropriated from administrative expense surcharge fees
24 deposited in the South Dakota state water pollution control revolving fund program subfund

1 established pursuant to § 46A-1-60.1, the sum of two hundred thousand dollars (\$200,000), or
2 so much thereof as may be necessary to the South Dakota Board of Water and Natural
3 Resources for the purpose of contracting for the preparation of applications and administration
4 of clean water state revolving fund loans under the state water pollution control revolving fund
5 program established pursuant to § 46A-1-60.1. Funds shall be provided according to terms and
6 conditions established by the Board of Water and Natural Resources.

7 Section 9. There is hereby appropriated from administrative expense surcharge fees
8 deposited in the South Dakota state drinking water revolving fund program subfund established
9 pursuant to § 46A-1-60.1, the sum two hundred thousand dollars (\$200,000), or so much thereof
10 as may be necessary to the South Dakota Board of Water and Natural Resources for the purpose
11 of contracting for the preparation of applications and administration of drinking water state
12 revolving fund loans under the state drinking water revolving fund program established pursuant
13 to § 46A-1-60.1. Funds shall be provided according to terms and conditions established by the
14 Board of Water and Natural Resources.

15 Section 10. There is hereby appropriated from federal funds deposited in the South Dakota
16 state drinking water revolving fund program subfund established pursuant to § 46A-1-60.1, the
17 sum of two hundred fifty-five thousand dollars (\$255,000), or so much thereof as may be
18 necessary, to the South Dakota Board of Water and Natural Resources for the purpose of
19 providing small system technical assistance set-aside grants to project sponsors under the state
20 drinking water revolving fund program established pursuant to § 46A-1-60.1. Funds shall be
21 provided according to terms and conditions established by the Board of Water and Natural
22 Resources.

23 Section 11. That § 46A-1-2.1 be amended to read as follows:

24 46A-1-2.1. The Legislature finds that the following water resources projects are necessary for

1 the general welfare of the people of the State of South Dakota and authorizes the projects pursuant
2 to § 46A-1-2 to be included in the state water resources management system to serve as the
3 preferred, priority objectives of the state: Big Sioux flood control study, Black Hills hydrology and
4 water management study, Cendak irrigation project, Gregory County pumped storage site, Lake
5 Andes-Wagner/Marty II irrigation unit, Lewis and Clark rural water system, Mni Wiconi rural water
6 system, Perkins County rural water system, Sioux Falls flood control project, ~~Ship-Up Creek,~~
7 Southern Black Hills Water System, and Vermillion basin flood control project.

8 Section 12. Whereas, this Act is necessary for the support of the state government and its existing
9 public institutions, an emergency is hereby declared to exist, and this Act shall be in full force and
10 effect from and after its passage and approval.